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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,192	01/04/2005	Roland Blasig	NL 020606	7695

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

WILLIAMS, JOSEPH L

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/520,192

Applicant(s)

BLASIG ET AL.

Examiner

Joseph L. Williams

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-11 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: There are no subtitles in the specification.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, and 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Daika US 4,390,637.

Regarding claim 1, Daika ('637) teaches in the abstract a glass component comprised of the following constituents: component being substantially free of PbO expressed as a percentage by weight, the following 55-70 weight% SiO₂, <0.1 weight% Al₂O₃, 0.5-4 weight% Li₂O, 0.5-3 weight% Na₂O, 10-15 weight% K₂O, 0-3 weight% MgO, 0-4 weight% CaO, 0.5-5 weight% SrO, 7-10 weight% BaO.

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Please note that the limitation of "an electric lamp" does not breath life into the claim and thus is not afforded patentable weight.

Regarding claim 2, Daika ('637) teaches in the abstract a glass component comprised of the following constituents: component being substantially free of PbO expressed as a percentage by weight, the following 65-70 weight% SiO₂, 1.4-2.2 weight% Li₂O, 1.5-2.5 weight% Na₂O, 11-12.3 weight% K₂O, 1.8-2.6 weight% MgO, 2.5-5 weight% CaO, 2-3.5 weight% SrO, 8-9.5 weight% BaO.

Regarding claim 3, Daika ('637) teaches .01-0.2 weight% of CeO₂.

Regarding claim 5, Daika ('637) teaches the sum of the concentrations of Li₂O, Na₂O, and K₂O is in the range from 14 to 16 weight%.

Regarding claim 6, Daika ('637) teaches the sum of the concentrations of SrO and BaO is in the range from 10 to 12.5 weight%.

Regarding claim 7, Daika ('637) teaches the envelope stem of the CRT can be made of the glass composition of claim 1.

Regarding claims 8 and 9, Daika ('637) teaches a lamp envelope and that the shape is tubular (CRT tube is tubular).

Regarding claim 11, Daika ('637) teaches a glass having the composition of claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daika (US 4,390,637), of record, in view of Filmer et al. (US 5,625,582).

Regarding claim 10, Daika teaches all of the claimed limitations except for 10 a mercury vapor discharge lamp comprising a lamp envelope, the lamp envelope enclosing, in a gastight manner, a discharge space provided with a filling of mercury and a rare gas, the lamp envelope comprising discharge means for maintaining a discharge in the discharge space.

Further regarding claim 10, Filmer ('582) teaches a mercury vapor discharge lamp comprising a lamp envelope, the lamp envelope enclosing, in a gastight manner, a discharge space provided with a filling of mercury and a rare gas, the lamp envelope comprising discharge means for maintaining a discharge in the discharge space for the purpose of having a lamp envelope that is durable.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the lamp of Filmer with the glass composition of Daika for the purpose of having a lamp envelope that is durable.

Allowable Subject Matter

5. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Joseph L. Williams
Primary Examiner
Art Unit 2879